

Land Use Petition

Project Number: 2017.208

Subject Property Information

Address/Location: 1901-2103 W. Galena Boulevard/being north of Galena Boulevard between N. Constitution Drive and N. Edgelawn Drive

Parcel Number(s): 15-18-454-014; 15-18-454-015; 15-18-454-024; 15-18-454-035; 15-19-201-020; 15-19-201-021; 15-19-201-023; 15-19-226-009

Petition Request(s)

Requesting the Establishment of a Special Use Planned Development, and to change the current zoning district from B-2(S) General Retail with a Special Use, B-2 General Retail, and R-2 One Family Dwelling District to B-2(S) General Retail District with a Special Use on the property located at 1901-2103 W. Galena Boulevard being north of Galena Boulevard between N. Constitution Drive and N. Edgelawn Drive

Requesting approval of a Final Plat Revision subdividing a portion of West Aurora Plaza Subdivision Unit One located at 1901-2103 W. Galena Boulevard being north of Galena Boulevard between N. Constitution Drive and N. Edgelawn Drive and establishing Lots 1-8 of West Aurora Plaza Resubdivision

Attachments Required

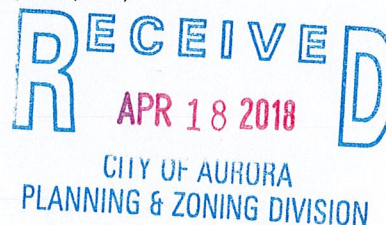
(a CD of digital files of all documents are also required)

Development Tables Excel Worksheet - digital only (1-0)
Word Document of: Legal Description (2-1)

Word Document of: Plan Description (2-18)

One Paper and pdf Copy of:
Qualifying Statement (2-1)
Plat of Survey (2-1)
Legal Description (2-1)
Letter of Authorization (2-2)
Existing or Proposed CC and Rs OR Lease Restrictions (2-1)
Contact Worksheet (1-5)
Filing Fee worksheet (1-6)

One Paper and pdf Copy of:
Final Plat (2-5)
Plan Description (2-18)



Petition Fee: \$3,783.77 (Payable to The City of Aurora)

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

*The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: [Signature] Date 4-12-18

Print Name and Company: Jonathan E Basofin, EVP of The Cloverleaf Group, Inc., Manager of West Aurora Plaza, LLC

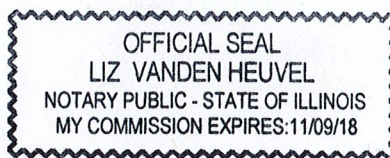
I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this 12th day of April

State of Illinois)
County of Cook) SS

NOTARY PUBLIC SEAL

[Signature]
Notary Signature



Filing Fee Worksheet

Project Number: 2017.208

Petitioner: West Aurora Plaza LLC

Number of Acres: 36.70

Number of Street Frontages: 1.00

Non-Profit: No

Linear Feet of New Roadway: 0

New Acres Subdivided (if applicable): 36.70

Area of site disturbance (acres): 0.00

Filing Fees Due at Land Use Petition:

Request(s):	Final Plat	\$	1,859.39
	Special Use	\$	1,909.39
		\$	-
		\$	-
		\$	-
		\$	-

Total: **\$3,768.77**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

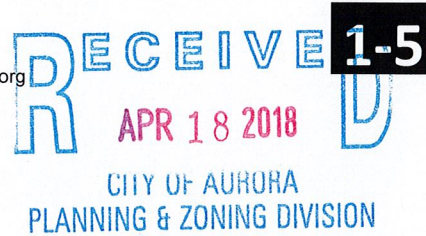
Verified By: Jill N. Morgan

Date: 4/5/2018

RECEIVED
APR 18 2018
CITY OF AURORA
PLANNING & ZONING DIVISION



Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL
 phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org



Project Contact Information Sheet

Project Number: 2017.208

Petitioner Company (or Full Name of Petitioner): West Aurora Plaza LLC

Owner

First Name: Jonathon Initial: _____ Last Name: Basofin Title: Mr.
 Company Name: Cloverleaf
 Job Title: _____
 Address: 666 Dundee Road, Suite 901
 City: Northbrook State: IL Zip: 60062
 Email Address: jeb@cleafgroup.com Phone No.: 847-272-3300 Mobile No.: _____

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Attorney
 Company Name: O'Donnell, Callaghan & Haddad, LLC
 First Name: Gerald Initial: _____ Last Name: Callaghan Title: Mr.
 Job Title: _____
 Address: 14044 Petronella Drive, Suite 1
 City: Libertyville State: IL Zip: 60048
 Email Address: jcallaghan@och-law.com Phone No.: 847-367-2753 Mobile No.: 847-942-2161

Additional Contact #1

Relationship to Project: Owner
 Company Name: Cloverleaf
 First Name: Ross Initial: _____ Last Name: Cosyns Title: Mr.
 Job Title: _____
 Address: 666 Dundee Road, Suite 901
 City: Northbrook State: IL Zip: 60062
 Email Address: rec@cleafgroup.com Phone No.: 847-272-3300 Mobile No.: _____

Additional Contact #2

Relationship to Project: Engineer
 Company Name: Roake and Associates, Inc.
 First Name: Doug Initial: _____ Last Name: McClintic Title: Mr.
 Job Title: _____
 Address: 1684 Quincy Avenue, Auite 100A
 City: Naperville State: IL Zip: 80640
 Email Address: _____ Phone No.: 630-355-3232, x: Mobile No.: _____

Additional Contact #3

Relationship to Project: _____
 Company Name: _____
 First Name: _____ Initial: _____ Last Name: _____ Title: _____
 Job Title: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Email Address: _____ Phone No.: _____ Mobile No.: _____

Additional Contact #4

Relationship to Project: _____
 Company Name: _____
 First Name: _____ Initial: _____ Last Name: _____ Title: _____
 Job Title: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Email Address: _____ Phone No.: _____ Mobile No.: _____

Application of West Aurora Plaza, LLC

Qualifying Statement



Background Information

West Aurora Plaza LLC acquired the West Aurora Plaza in 2008. The plaza is a retail shopping center, located on the north side of West Galena Boulevard, generally between North Constitution Drive and North Edgelawn Drive. The center was developed in the 1960s and 1970s. The property is improved with two multi-tenant retail buildings, two stand-alone restaurant buildings and a vacant Walmart building. The property is occupied by numerous retail, service, office and restaurant tenants.

Summary of Proposal

The owner is requesting three approvals from the City of Aurora:

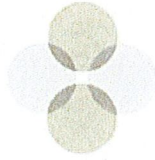
1. Rezoning of the property to the B-2 General Retail District. Most of the property is currently zoned B-2. However, the historical record reflects that some of the frontage along Galena may be zoned in a residential classification. In order to ensure that all of its property is zoned B-2, West Aurora Plaza LLC is requesting a rezoning.
2. A special use for a Planned Development. Over the years, a number of planned development ordinances have been approved for the property. However, the historical record is not clear as to the planned development provisions currently governing the property. In order to clarify and confirm the applicable regulations, the owner is requesting approval of a planned development ordinance that will provide the development and use standards on a going forward basis.
3. Final Plat of Resubdivision. The property is approximately 34 acres. A portion of the property consists of lots or portions of lots in the West Aurora Plaza Subdivision Unit 1. The remainder of the property was conveyed by metes and bounds. The owner desires to subdivide the property into eight lots that correspond to the separate buildings and parking areas as well as three outlots along Galena Boulevard. Subdividing the property will make the property more attractive to investors and end users.

Qualifying Standards

- a) **The public health, safety, morals, comfort or general welfare.** The proposal for rezoning, planned development approval and resubdivision will not have any negative impact on the public health, safety, morals, comfort or general welfare. In fact, clarifying the zoning of the property and creating outlots will enable the owner to make future improvements to the center and attract investors and tenants.
- b) **The use and enjoyment of other property already established or permitted in the general area.** The owner's proposal will not have any negative impact on the use and enjoyment of other property in the general area. This is because the owner is not proposing to significantly change the intensity or types of the existing uses of the property.
- c) **Property values within the neighborhood.** The owner's proposal will be protective of property values in the neighborhood because the approvals, if granted by the city, will lead to further investment in the property, which can only benefit surrounding property values.
- d) **The normal and orderly development and improvement of surrounding property for uses established or permitted within their respective existing zoning districts.** The property has

been developed for decades. The types and intensity of uses on the property will not change. There will be no impact on the normal and orderly development and improvement of surrounding property.

- e) **Utilities, access roads, drainage and/or other necessary facilities.** All necessary utilities are already on site as the property has been developed for several decades. Given the existing developed condition of the property, in lieu of providing storm water detention, the owner will pay a fee to the city if required by city ordinance.
- f) **Ingress and egress as it relates to traffic congestion in the public streets.** The property currently has two signalized intersections, including left-turn lanes, with Galena Boulevard. Also, there is a right-in/right-out intersection with Galena Boulevard in the center of the property. In addition, there is access to and from the north on Redwood Drive and Greenwood Drive. The property has more than adequate means of ingress and egress.
- g) **The applicable regulations of the zoning district in which the subject property is proposed to be or is located.** As mentioned in the Summary above, most of the property is zoned B-2 and all of the property is within a planned development. The zoning relief requested by the owner is only for the purpose of confirming and clarifying the zoning regulations that will govern the property in the future.
- h) **A bullet point list of any variances, modifications or exceptions that you are seeking from the City's Codes and Ordinances.** The owner is requesting the variations, modifications and exceptions recommended by City Staff in the Plan Description. In addition, the owner requests that the ordinance approving a planned development for the property include a statement that any additional variations, modifications and exceptions are granted in order to ensure that the property and each of the eight lots proposed by the owner are legally conforming under the city's zoning ordinance.



CLOVERLEAF

March 28, 2018

RECEIVED
APR 18 2018
CITY OF AURORA
PLANNING & ZONING DIVISION

From: West Aurora Plaza LLC
c/o Jonathon E. Basofin
Cloverleaf
666 Dundee Rd., Suite 901
Northbrook, IL 60062
847-272-3300
jeb@cleafgroup.com

To: City of Aurora, Planning and Zoning Division
44 E. Downer Place
Aurora, IL 60507
630-256-3080
coapanning@aurora-il.org

Re: Authorization Letter for 1901, 1905, 1911, 1915, 1921, 1923,
1925, 1931, 1941, 1945, 1951, 1953, 1957, 1961, 1981, 1985,
1989, 2001, 2005, 2009, 2011, 2095, 2131 W. Galena Blvd.

To whom it may concern:

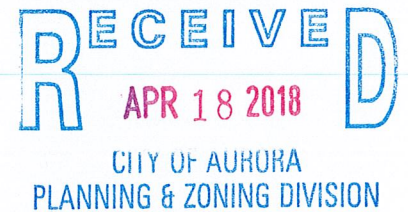
As the record owner of the above stated property, I hereby affirm that I have full legal capacity to authorize O'Donnell, Callaghan & Haddad, LLC and its representatives, to act as the owner's agent through the Zoning, Planned Development and Subdivision Land Use Petition process with the City of Aurora for said property.

Signature: [Handwritten Signature] Date: 3/28/18

Subscribed And Sworn To Before Me This 28th Day
Of March, 2018.

Notary Signature: [Handwritten Signature]

OFFICIAL SEAL
LIZ VANDEN HEUVEL
[SEAL] NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 11/09/18



SUBDIVISION LEGAL

THAT PART OF SECTIONS 18 AND 19, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8 OF UNIT 1 OF WEST AURORA PLAZA SUBDIVISION, UNIT 1, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 28, 1959 AS DOCUMENT 901635; THENCE NORTH 83 DEGREES 17 MINUTES 00 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOTS 8 AND 1, A DISTANCE OF 723.27 FEET TO THE EAST LINE OF THE CHAMPION FEDERAL SAVINGS AND LOAN PARCEL; THENCE NORTH 6 DEGREES 43 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID CHAMPION FEDERAL SAVINGS AND LOAN PARCEL, PARALLEL WITH THE EAST LINES OF SAID LOTS 1 AND 2, A DISTANCE OF 300.00 FEET; THENCE NORTH 83 DEGREES 17 MINUTES 00 SECONDS WEST ALONG THE NORTH LINE OF SAID CHAMPION FEDERAL SAVINGS AND LOAN PARCEL, PARALLEL WITH THE SOUTH LINE OF SAID UNIT 1, A DISTANCE OF 401.08 FEET TO THE EASTERLY LINE OF THE WALMART LEASE PARCEL DESCRIBED IN LEASE DOCUMENT 91K63349 RECORDED APRIL 8, 1991; THENCE ALONG SAID WALMART LEASE PARCEL THE FOLLOWING EIGHT COURSES: THENCE SOUTH 06 DEGREES 43 MINUTES 00 SECONDS WEST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 300.00 FEET; THENCE NORTH 83 DEGREES 17 MINUTES 00 SECONDS WEST, 896.33 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF CONSTITUTION COMMONS OFFICE PARK RECORDED DECEMBER 23, 1983 AS DOCUMENT 1664601; THENCE NORTH 00 DEGREES 21 MINUTES 01 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 3 AND THE EAST LINE OF LOT 2 OF SAID CONSTITUTION COMMONS, 573.50 FEET TO AN ANGLE POINT ON SAID EASTERLY LINE; THENCE NORTH 00 DEGREES 18 MINUTES 31 SECONDS WEST ALONG SAID EASTERLY LINE 14.80 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT ALSO LYING ON THE SOUTH LINE OF LANDS CONVEYED TO AMERICAN NATIONAL BANK AND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT 32285 BY DOCUMENT 1285589; THENCE SOUTH 89 DEGREES 33 MINUTES 32 SECONDS EAST, ALONG SAID SOUTH LINE 1.33 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 00 DEGREES 28 MINUTES 44 SECONDS EAST ALONG THE EAST LINE OF SAID LANDS 6.91 FEET TO THE SOUTHWEST CORNER OF LANDS CONVEYED TO SAID AMERICAN NATIONAL BANK AND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT 32285 BY DOCUMENT 1285591; THENCE SOUTH 89 DEGREES 31 MINUTES 16 SECONDS EAST ALONG THE SOUTH LINE OF SAID LANDS CONVEYED BY DOCUMENT 1285591 A DISTANCE OF 324.03 FEET TO THE SOUTHEAST CORNER OF SAID LANDS, SAID POINT LYING ALSO ON THE WEST LINE OF LANDS CONVEYED TO MERCHANTS NATIONAL BANK OF AURORA, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 30, 1985, KNOWN AS TRUST NUMBER 3810 BY DOCUMENT 1752755; THENCE ALONG THE LANDS CONVEYED TO MERCHANTS NATIONAL BANK OF AURORA THE FOLLOWING FIVE COURSES: THENCE SOUTH 00 DEGREES 28 MINUTES 44 SECONDS WEST, 6.96 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE SOUTH 83 DEGREES, 18 MINUTES, 03 SECONDS EAST ALONG SAID SOUTH LINE, 115.15 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 06 DEGREES 41 MINUTES 44 SECONDS EAST, 181.90 FEET; THENCE NORTH 40 DEGREES 07 MINUTES 32 SECONDS WEST, A DISTANCE OF 88.71 FEET; THENCE NORTH 83 DEGREES 18 MINUTES 16 SECONDS WEST, A DISTANCE OF 76.94 FEET TO THE EAST LINE OF SAID AMERICAN NATIONAL BANK AND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT 32285 BY DOCUMENT 1285591; THENCE NORTH 00 DEGREES 27 MINUTES 55 SECONDS EAST, 140.06 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 57.10 FEET, AN ARC DISTANCE OF 43.00 FEET, THE CHORD OF WHICH BEARS NORTH 21 DEGREES 06 MINUTES 36 SECONDS EAST, 41.99 FEET; THENCE NORTH 42 DEGREES 41 MINUTES 06 SECONDS EAST, 35.06 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS 90.00 FEET, AN ARC DISTANCE OF 42.34 FEET, THE CHORD OF WHICH BEARS NORTH 29 DEGREES 12 MINUTES 30 SECONDS WEST, 41.99 FEET; THENCE NORTH 54 DEGREES 41 MINUTES 06 SECONDS WEST, A DISTANCE OF 32.92 FEET TO THE EAST LINE OF A PARCEL CONVEYED TO THE CITY OF AURORA, JUNE 1, 2001 AS DOCUMENT NUMBER

2001K052157; THENCE NORTH 35 DEGREES 13 MINUTES 26 SECONDS EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 118.66 FEET TO THE SOUTHWESTERLY LINE OF UNIT 7 IN WEST AURORA PLAZA SUBDIVISION, ACCORDING TO THE PLAT THERE RECORDED MARCH 3, 1967 AS DOCUMENT NUMBER 1085565; THENCE SOUTH 54 DEGREES 49 MINUTES 05 SECONDS EAST, ALONG SAID SOUTHWESTERLY LINE AND SOUTHWESTERLY LINES OF UNIT 5, IN WEST AURORA PLAZA SUBDIVISION, A DISTANCE OF 343.35 FEET; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1693.07 FEET, AN ARC DISTANCE OF 387.46 FEET, THE CHORD OF WHICH BEARS SOUTH 61 DEGREES 22 MINUTES 39 SECONDS EAST, 386.62 FEET TO THE NORTHEAST CORNER OF MCDONALDS LEASE PARCEL, ACCORDING TO THE LEASE RECORDED FEBRUARY 18, 1978 AS DOCUMENT 1445043; THENCE SOUTH 22 DEGREES 02 MINUTES 56 SECONDS WEST, 62.38 FEET, ALONG THE EAST LINE OF SAID MCDONALDS LEASE PARCEL; THENCE SOUTH 04 DEGREES 29 MINUTES 42 SECONDS WEST, 48.95 FEET, ALONG THE EAST LINE OF SAID MCDONALDS LEASE PARCEL TO THE NORTHWEST CORNER OF THE PIZZA HUT LEASE PARCEL ACCORDING TO THE LEASE RECORDED OCTOBER 23, 1970 AS DOCUMENT 1175689; THENCE SOUTH 82 DEGREES 23 MINUTES 30 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID PIZZA HUT LEASE PARCEL 106.61 FEET TO THE WESTERLY LINE OF PARCEL "A" OF AURORA CINEMA, INC. LEASE PARCEL DESCRIBED IN DOCUMENT 1680263; THENCE NORTH 07 DEGREES 36 MINUTES 30 SECONDS EAST ALONG SAID SOUTHERLY EXTENSION, SAID WESTERLY LINE OF PARCEL "A" AND NORTHERLY EXTENSION OF SAID WESTERLY LINE A DISTANCE OF 87.91 FEET TO THE SOUTHERLY LINE OF WEST AURORA PLAZA UNIT 4 ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1964 AS DOCUMENT 1033387; THENCE EASTERLY ALONG SAID SOUTHERLY LINE OF SAID UNIT 4, BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 1693.07 FEET, AN ARC DISTANCE OF 130.80 FEET, THE CHORD OF WHICH BEARS SOUTH 73 DEGREES 24 MINUTES 01 SECONDS EAST, 130.77 FEET, TO THE WEST LINE OF GREENWOOD DRIVE; THENCE SOUTH 84 DEGREES 37 MINUTES 46 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID UNIT 4, A DISTANCE OF 66.00 FEET TO THE EASTERLY LINE OF GREENWOOD DRIVE; THENCE NORTH 5 DEGREES 22 MINUTES 14 SECONDS EAST ALONG THE EASTERLY LINE OF GREENWOOD DRIVE, A DISTANCE OF 193.08 FEET; THENCE SOUTH 74 DEGREES 43 MINUTES 59 SECONDS EAST, A DISTANCE OF 254.21 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 118.50 FEET, AN ARC DISTANCE OF 122.79 FEET, THE CHORD OF WHICH BEARS SOUTH 45 DEGREES 02 MINUTES 49 SECONDS EAST, 117.37 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 40 SECONDS WEST, DISTANCE OF 283.34 FEET TO THE NORTHERLY LINE OF PARCEL ONE DESCRIBED IN MORTGAGE RECORDED MAY 12, 1961 AS DOCUMENT 943487; THENCE SOUTH 83 DEGREES 17 MINUTES 27 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID PARCEL ONE, A DISTANCE OF 242.75 FEET; THENCE SOUTH 06 DEGREES 42 MINUTES 33 SECONDS WEST, 9.50 FEET; THENCE SOUTH 83 DEGREES 17 MINUTES 27 SECONDS EAST, 92.63 FEET; THENCE NORTH 06 DEGREES 42 MINUTES 33 SECONDS EAST, 9.50 FEET; THENCE SOUTH 83 DEGREES 17 MINUTES 27 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID PARCEL ONE, A DISTANCE OF 134.43 FEET TO THE NORTHWEST CORNER OF MERCHANTS NATIONAL BANK PARCEL; THENCE SOUTH 3 DEGREES 31 MINUTES 47 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID MERCHANTS NATIONAL BANK PARCEL, A DISTANCE OF 276.77 FEET, TO THE NORTHWEST CORNER OF WESTMINSTER PRESBYTERIAN CHURCH PARCEL DESCRIBED IN DEED RECORDED AS DOCUMENT 829885; THENCE SOUTH 0 DEGREES 06 MINUTES 12 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID CHURCH PARCEL, A DISTANCE OF 391.26 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE FOLLOWING THREE PARCELS:

1. THAT PART OF THE SOUTHEAST 1/4 OF SECTION 18 AND THAT PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEASTERLY CORNER OF LOT 9 OF WEST AURORA PLAZA, UNIT NO. 4; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 9 A DISTANCE OF 130.67 FEET; THENCE SOUTH 06 DEGREES 54 MINUTES 20 SECONDS WEST 87.83 FEET TO THE NORTHEAST CORNER OF THE LANDS LEASED TO AURORA PIZZA

HUT, INC. BY INSTRUMENT RECORDED OCTOBER 23, 1970 AS DOCUMENT 1175689; THENCE NORTH 83 DEGREES 05 MINUTES 40 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID LANDS 106.70 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 20 DEGREES 02 MINUTES 50 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LANDS 126.95 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE CONTINUING NORTH 66 DEGREES 16 MINUTES 00 SECONDS WEST 49.64 FEET FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 66 DEGREES 16 MINUTES 00 SECONDS WEST 256.14 FEET; THENCE SOUTH 06 DEGREES 06 MINUTES 40 SECONDS WEST 149.41 FEET TO THE NORTHERLY LINE OF THE LAND LEASED TO ZAYRE OF ILLINOIS INC. BY INSTRUMENT RECORDED MARCH 9, 1971 AS DOCUMENT NO.1184946; THENCE SOUTH 84 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID NORTHERLY LINE 238.67 FEET; THENCE NORTH 10 DEGREES 28 MINUTES 36 SECONDS EAST 71.62 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

2. THAT PART OF THE SOUTHEAST 1/4 OF SECTION 18 AND PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 9 OF WEST AURORA PLAZA, UNIT NO. 4; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 9 A DISTANCE OF 130.67 FEET; THENCE SOUTH 06 DEGREES 54 MINUTES 20 SECONDS WEST, 87.11 FEET TO THE NORTHEAST CORNER OF THE LANDS LEASED TO AURORA PIZZA HUT, INC. BY INSTRUMENT RECORDED OCTOBER 23, 1970 AS DOCUMENT 1175689; THENCE NORTH 83 DEGREES 05 MINUTES 40 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID LANDS 106.76 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 20 DEGREES 02 MINUTES 50 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LANDS 126.95 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 66 DEGREES 16 MINUTES 00 SECONDS WEST, 49.64 FEET; THENCE CONTINUING NORTH 66 DEGREES 16 MINUTES 00 SECONDS WEST, 256.14 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 06 DEGREES 06 MINUTES 40 SECONDS WEST, 149.41 FEET TO THE NORTHERLY LINE OF LAND LEASED TO ZAYRE OF ILLINOIS, INC. BY INSTRUMENT RECORDED MARCH 9, 1971 AS DOCUMENT 1184946; THENCE NORTH 84 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID NORTHERLY LINE 78.00 FEET; THENCE NORTH 06 DEGREES 06 MINUTES 40 SECONDS EAST, 174.34 FEET; THENCE SOUTH 66 DEGREES 16 MINUTES 00 SECONDS EAST, 81.84 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

3. THAT PART OF LOTS 3 AND 4 OF WEST AURORA PLAZA SUBDIVISION, UNIT 1, IN SECTIONS 18 AND 19, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 8 OF SAID UNIT 1; THENCE NORTH 83 DEGREES 17 MINUTES 00 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOTS 8 AND 1, A DISTANCE OF 587.31 FEET; THENCE NORTH 6 DEGREES 43 MINUTES 00 SECONDS EAST, A DISTANCE OF 635.43 FEET TO THE POINT OF BEGINNING; THENCE NORTH 83 DEGREES 13 MINUTES 35 SECONDS WEST, A DISTANCE OF 66.06 FEET; THENCE SOUTH 07 DEGREES 13 MINUTES 21 SECONDS WEST, A DISTANCE OF 15.50 FEET; THENCE NORTH 83 DEGREES 13 MINUTES 18 SECONDS WEST, A DISTANCE OF 75.08 FEET; THENCE NORTH 06 DEGREES 32 MINUTES 37 SECONDS EAST, A DISTANCE OF 5.65 FEET; THENCE NORTH 83 DEGREES 13 MINUTES 18 SECONDS WEST, A DISTANCE OF 136.44 FEET; THENCE NORTH 06 DEGREES 46 MINUTES 47 SECONDS EAST, A DISTANCE OF 9.98 FEET; THENCE NORTH 83 DEGREES 13 MINUTES 18 SECONDS WEST, A DISTANCE OF 17.20 FEET; THENCE SOUTH 06 DEGREES 44 MINUTES 16 SECONDS WEST, A DISTANCE OF 15.44 FEET; THENCE NORTH 83 DEGREES 13 MINUTES 18 SECONDS WEST, A DISTANCE OF 63.50 FEET; THENCE NORTH 06 DEGREES 44 MINUTES 14 SECONDS EAST, A DISTANCE OF 15.44 FEET; THENCE NORTH 83 DEGREES 13 MINUTES 18 SECONDS WEST, A DISTANCE OF 17.54 FEET; THENCE NORTH 06 DEGREES 45 MINUTES 40 SECONDS EAST, A DISTANCE OF 216.77 FEET; THENCE SOUTH 83 DEGREES 22 MINUTES 36 SECONDS EAST, A DISTANCE OF 76.81 FEET; THENCE NORTH 06 DEGREES 29 MINUTES 47 SECONDS EAST, A DISTANCE OF 28.27 FEET; THENCE NORTH 38 DEGREES 02 MINUTES 00 SECONDS EAST, A DISTANCE OF 11.72 FEET; THENCE SOUTH 52 DEGREES 57 MINUTES 52 SECONDS EAST, A DISTANCE OF 29.15 FEET; THENCE SOUTH 83 DEGREES 21 MINUTES 34 SECONDS EAST, A DISTANCE OF 177.35 FEET; THENCE

NORTH 36 DEGREES 54 MINUTES 56 SECONDS EAST, A DISTANCE OF 30.15 FEET; THENCE, SOUTH 53 DEGREES 08 MINUTES 48 SECONDS EAST, A DISTANCE OF 20.22 FEET; THENCE SOUTH 36 DEGREES 39 MINUTES 30 SECONDS WEST, A DISTANCE OF 42.39 FEET; THENCE SOUTH 07 DEGREES 37 MINUTES 48 SECONDS WEST, A DISTANCE OF 7.01 FEET; THENCE SOUTH 83 DEGREES 13 MINUTES 41 SECONDS EAST, A DISTANCE OF 79.10 FEET; THENCE SOUTH 06 DEGREES 42 MINUTES 09 SECONDS WEST, A DISTANCE OF 212.93 FEET TO THE POINT OF BEGINNING, IN THE CITY OF AURORA KANE COUNTY, ILLINOIS.

TOGETHER WITH:

THAT PART OF LOT 4 IN WEST AURORA PLAZA SUBDIVISION UNIT ONE, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 28, 1959 AS DOCUMENT NUMBER 901635, IN PART OF SECTION 18 AND 19, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEASTERLY CORNER OF LOT 9 IN WEST AURORA PLAZA SUBDIVISION UNIT FOUR, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 21, 1964, AS DOCUMENT 1033381; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID UNIT FOUR, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 1963.07 FEET, AN ARC DISTANCE OF 130.81 FEET, THE CHORD OF WHICH BEARS NORTH 73 DEGREES 24 MINUTES 01 SECOND WEST, 130.77 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF THE FORMER PIZZA HUT PARCEL RECORDED OCTOBER 23, 1970 AS DOCUMENT 1175689, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 07 DEGREES 36 MINUTES 30 SECONDS WEST ALONG SAID NORTHERLY EXTENSION OF EASTERLY LINE, 87.91 FEET, TO THE NORTHEAST CORNER OF SAID FORMER PIZZA HUT PARCEL; THENCE NORTH 82 DEGREES, 23 MINUTES 30 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID FORMER PIZZA HUT PARCEL, 106.61 FEET TO THE EASTERLY LINE MCDONALD'S LEASE PARCEL RECORDED FEBRUARY 18, 1978 AS DOCUMENT 1445043; THENCE ALONG THE EASTERLY LINE OF SAID MCDONALD'S LEASE PARCEL THE FOLLOWING TWO COURSES; THENCE NORTH 04 DEGREES 29 MINUTES 42 SECONDS EAST, 48.95 FEET; THENCE NORTH 22 DEGREES 02 MINUTES 56 SECONDS EAST, 62.35 FEET, TO THE SOUTHERLY LINE OF WEST AURORA PLAZA SUBDIVISION UNIT FOUR AFORESAID; THENCE EASTERLY ALONG SAID SOUTHERLY LINE, BEING A CURVE TO THE LEFT, HAVING A RADIUS OF 1693.07 FEET, AN ARC DISTANCE OF 96.13 FEET, THE CHORD OF WHICH BEARS SOUTH 69 DEGREES, 33 MINUTES 37 SECONDS EAST, 96.12 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 18, TOWNSHIP 38 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.